

Applicant(s): Alan P. Cavallerano et al.
Serial No.: 09/882,082
Filed: June 15, 2001
For: A METHOD AND DEVICE FOR DETECTING AN EVENT IN A PROGRAM OF A VIDEO AND/OR AUDIO
SIGNAL AND FOR PROVIDING THE PROGRAM TO A DISPLAY UPON DETECTION OF THE EVENT
Art Unit: 2656
Examiner: Sajous, Wesner

Attorney Docket No.: PHA 23,534A

REMARKS/ARGUMENTS

Reconsideration of the present application in view of the following remarks is respectfully requested. Claims 1-18, 21-24, 26 and 27 are pending in the present application. Claims 6, 7, 12, 17, 18 and 23 have been found to be allowable while the disposition of the remaining claims is the subject of the present response.

The Office Action (1) as noted above, found allowable subject matter with respect to claims 6, 7, 12, 17, 18 and 23; (2) rejected claims 1, 3-5, 8, 10-11, 13-16, 21-22, 24 and 26-27 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,889,506 to Lopresti et al. (hereinafter "the Lopresti reference"); and (3) rejected claims 2 and 9 under 35 U.S.C. 103(a) as being unpatentable over the Lopresti reference in view of U.S. Patent No. 6,348,932 to Nishikawa et al. (hereinafter "the Nishikawa reference").

With respect to item (1) identified above, Applicants would like to express their appreciation to the Examiner for the finding of allowable subject matter with respect to claims 6, 7, 12, 17, 18 and 23.

With respect to item (2) identified above, Applicants respectfully submit that each of the pending claims is patentable over the Lopresti reference and that such reference does not, contrary to that which is suggested by the Action, disclose or suggest every feature recited in the claims.

For instance, with respect to claim 1, Applicants respectfully submit that claim 1 reads, in part, on *a detector that analyzes the video and/or audio signal of at least one program to detect the identified event in the program*. Whereas, the Lopresti reference, which as pointed out in the Action,

Applicant(s): Alan P. Cavallerano et al.
Serial No.: 09/882,082
Filed: June 15, 2001
For: A METHOD AND DEVICE FOR DETECTING AN EVENT IN A PROGRAM OF A VIDEO AND/OR AUDIO SIGNAL AND FOR PROVIDING THE PROGRAM TO A DISPLAY UPON DETECTION OF THE EVENT
Art Unit: 2656
Examiner: Sajous, Wesner

Attorney Docket No.: PHA 23,534A

discloses an audio/video control apparatus including a processor that “controls operation of the video display apparatus”, and teaches that “[m]uch of the *video user environment* is preferably implemented as *software that is executed by the distributed processor architecture 72 (e.g. 72a and 72b).*” (col. 2, lns. 41-42 and col. 6, lns. 62-64, respectively). Applicants respectfully submit that nothing in the Lopresti reference teaches or suggests analyzing a video and/or audio signal as defined by claim 1.

The Action suggests that excerpts from the Lopresti reference (i.e., col. 2, lns. 1-7 and col. 9, lns. 10-50) imply that the processor (i.e., processor 72b of control unit 20) operates as a detector that analyzes video and/or audio signal of a program to detect a particular event such as provided by claim 1. Applicants respectfully submit that this assertion is not accurate at least because the Lopresti reference, which at the very most suggests searching “available programs to locate those meeting the user’s criteria of interest” (col. 2, lns. 5-7), does not disclose or suggest *analyzing a video and/or audio signal* to find/detect an identified event in the signal. Rather, the Lopresti reference specifically teaches: (i) “it is possible for the user to select an item *manually or search for an item using the approximate ink or text matching techniques*” (col. 9, lns. 23-25); (ii) “each program in the display is *tagged* with a *predefined icon* indicating its genre...[t]he user may limit the TV schedule to display only those programs in certain genres...[making it]...easier for the user to identify which programs he or she wants to watch.” (col. 9, lns. 40-50); (iii) “[a] *video library displays entries* that correspond to specific video programs that the user can view at will.” (col. 10, lns. 24-25); and (iv) “the user could later *search through the entries in [a] video library* and *select* an archived event *by tapping* on it.” (col. 10, lns. 31-33). Applicants respectfully submit that none of the foregoing, which at least generally represent that which is disclosed by the Lopresti reference, read on a detector for analyzing a video and/or audio signal as defined by claim 1.

Applicant(s): Alan P. Cavallcrano et al.
Serial No.: 09/882,082
Filed: June 15, 2001
For: A METHOD AND DEVICE FOR DETECTING AN EVENT IN A PROGRAM OF A VIDEO AND/OR AUDIO
SIGNAL AND FOR PROVIDING THE PROGRAM TO A DISPLAY UPON DETECTION OF THE EVENT
Art Unit: 2656
Examiner: Sajous, Wesner

Attorney Docket No.: PHA 23.534A

Claim 1 also reads, in part, on a selector for *automatically*, upon detection of the identified event, *providing to a display* the program containing the event. Applicants respectfully submit, contrary to that which is suggested by the Action, that the Lopresti reference also fails to disclose or suggest the selector feature defined by claim 1. The Action suggests that excerpts from the Lopresti reference (i.e., col. 2, lns. 1-7, 20-32) read on a selector that automatically, upon detection of an identified event in a video and/or audio signal, provides the program containing the event to a display. Applicants respectfully submit that this assertion is inaccurate at least because such excerpts clearly fail to teach and/or suggest an automatic selection of a program as defined by claim 1. Rather, such excerpts teach that a user can create his/her own *hand drawn instructions* to represent different control functions including, for example, a function to search available programs *to locate* those meeting the user's criteria of interest or instruction. Applicants respectfully submit that *nothing* in the cited excerpts, and more generally in the Lopresti reference, teaches or suggests *automatically*, upon detection of the identified event, *providing to a display* the program containing the event.

Accordingly, based at least on the foregoing, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 as being anticipated by the Lopresti reference.

Considering claims 3-5, 8, 10, 11, 13-16, 21, 22, 24, 26 and 27, Applicants respectfully submit that each of such claims is also patentable over the Lopresti reference at least for reasons substantially similar to those identified and discussed above with respect to claim 1. Accordingly, reconsideration and withdrawal of the rejection of such claims are respectfully requested.

Regarding item (3) identified above, Applicants respectfully submit that claims 2 and 9, which depend directly from independent claims 1 and 8, respectively, are patentable over the cited reference combination (i.e., the Lopresti reference in view of the Nishikawa reference) at least for

Applicant(s): Alan P. Cavallerano et al.
Serial No.: 09/882,082
Filed: June 15, 2001
For: A METHOD AND DEVICE FOR DETECTING AN EVENT IN A PROGRAM OF A VIDEO AND/OR AUDIO
SIGNAL AND FOR PROVIDING THE PROGRAM TO A DISPLAY UPON DETECTION OF THE EVENT
Art Unit: 2656
Examiner: Sajous, Wesner

Attorney Docket No.: PHA 23,534A

reasons substantially similar to those identified/discussed with respect to claim 1. That is, the Nishikawa reference, which was cited by the Action for purportedly disclosing "a PIP device (569, fig. 9) that displays program containing a detected event (e.g., item 580). See col. 12, lines 15-21." (Action, p.7, part 4), fails to overcome the above-identified shortcomings of the Lopresti reference. Accordingly, reconsideration and withdrawal of the rejection of both claims 2 and 9 are respectfully requested.

In sum, it is respectfully submitted that the all of the present claims are patentable over the reference(s) made of record in the present application and that this application is in condition for allowance. Accordingly, reconsideration and withdrawal of all rejections, and all objections of the claims, are respectfully requested.

Respectfully submitted,



David L. Barnes
Reg. No. 47,407
Attorney for Applicants

Date: November 9, 2004

MCCARTER & ENGLISH, LLP
Four Stamford Plaza
107 Elm Street
Stamford, CT 06902
(203) 326-2973